

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: NOVEMBER 7, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

VARIANCE

VAR-24260 - PUBLIC HEARING - APPLICANT/OWNER: SALVATORE AND ANTOINETTE CASTROGIOVANNI - Appeal filed from the denial by the Planning Commission of a request for a Variance TO ALLOW A 20-FOOT FRONT YARD SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED, A 30-FOOT REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED AND A SEVEN-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE FAMILY RESIDENCE on 0.46 acres at 1721 Charles Lam Court (APN 163-03-202-002), R-E (Residence Estates) Zone, Ward 2 (Wolfson). The Planning Commission (5-0 vote) and staff recommend DENIAL.

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

1

City Council Meeting

4

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

2

City Council Meeting

13

**RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by Salvatore Castrogiovanni
7. Protest/support postcards
8. Submitted after final agenda – Protest/support postcards, support petition and revised site plans
9. Backup referenced from the 10-11-07 Planning Commission Meeting Item 44

Motion made by STEVE WOLFSON to Approve subject to condition and the adding the following condition as read for the record:

A. No Variance is allowed for the front or side setbacks. A Variance to allow a 25-foot rear setback is hereby approved.

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Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-OSCAR B. GOODMAN)

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

SALVATORE CASTROGIOVANNI, 1604 Diamond Oak Court, stated that the plan was reduced in order to meet front and side yard setbacks and the only variance is for the rear setback. He submitted a letter with signatures from his adjacent neighbors agreeing to the request.

COUNCILMAN WOLFSON thanked the applicant for meeting with him and verified with MARGO WHEELER, Director of Planning and Development Department, that MR. CASTROGIOVANNI has met the front and side yard setback requirements on the new proposed plan. MS. WHEELER replied that staff had not seen the plans, but an added condition would allow staff to review the single-family plans.

COUNCILMAN WOLFSON remarked that staff would be relying on the representation from MR. CASTROGIOVANNI that those changes were made on the new plan. He verified with MR. CASTROGIOVANNI that both his adjacent neighbors approve of the rear setback request. This is one of the last empty lots and the neighbors would like to see a home there. The house has been reduced to a one-story, 4,800 square foot house and is compatible with the neighborhood.

COUNCILMAN WOLFSON agreed that an empty lot on this corner is not appropriate for this neighborhood.

MAYOR PRO TEM REESE declared the Public Hearing closed.